

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
February 23, 2009, 9:00 am.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Keltz; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Bryan Perry, Safety/Training Coordinator; Planning Manager Mike Shuttleworth and Susan Walker, Planning, Public Works Director Ross Dunfee; DPA Ryan Brown; Treasurer Duane Davidson; Clerk Josie Delvin; Steve Becken, Norm Childress, Sue Schuetz, and Larry Moser, Road Department; Erhiza Rivera, Deputy Treasurer.

Approval of Minutes

The Minutes of February 9, 2009 and February 10, 2009 were approved.

Review Agenda

Commissioner Benitz requested consent agenda items “c”, “d” and “e” (Letters of Support for Ben Franklin Transit) be pulled.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items “a” through “dd”, pulling “c”, “d”, and “e”. Commissioner Beaver seconded and upon vote, the Board approved the following:

Commissioners

- a. 2010 Alternate Dates for Budget Hearings; Rescinding Resolution 09-080
- b. Appointment of G Janicek to the Columbia Irrigation District

Coroner

- f. Contract Amendment with Dr. Daniel Selove

Facilities

- g. Blanket Service Agreement w/Sound Solutions Northwest, Inc.

- h. Contract Amendment with Schindler Elevator Corporation
- i. Contract Amendment with Varsity Contractors, Inc.

Fairgrounds

- j. Lease Agreement w/Benton-Franklin Mounted Sheriff's Posse – Sheriff's Weekly
- k. Lease Agreement w/Benton-Franklin Mounted Sheriff's Posse – Play Days
- l. Lease Agreement w/Columbia Basin Pigeon Club

Juvenile

- m. Line Item Transfer, Funds No. 0115-101, Dept. 173
- n. Agreement w/WSU for Evaluation of the Models for Change DMC Data Analysis
- o. Agreement w/Center for Children's Law & Policy, the Children and Youth Justice
- p. Fee for Services Contract w/City of Kennewick for Graffiti Abatement Program

Office of Public Defense

- q. District Court Service Agreement w/R Hui
- r. Felony Superior Court Service Agreement w/R Thompson
- s. Felony District Court Service Agreement w/R Swinburnson
- t. Felony District Court Service Agreement w/C Harkins
- u. Termination of Professional Svcs Agreement w/R Johnston; Rescinding Resolution 07-879

Road/Engineer

- v. ER&R Purchase of Refined Petroleum Products – Bulk Diesel Fuel for 2009
- w. ER&R Purchase Metal Traffic Signs
- x. ER&R Purchase New Pickup Mounted Tool Tray Designed to Securely Store Survey Equip.
- y. Card Lock Service for Gasoline and Diesel Fuel
- z. County Roads Improvement District (C.R.I.D.) #15-Cottonwood Drive, Property Segregation

Sheriff

- aa. Purchase of Ammunition from San Diego Police Equipment Co.
- bb. Purchase of POD Tables/Chairs from Norix Group Inc.
- cc. Federal Equitable Sharing Agreement and Certification Report – 2008

Solid Waste

- dd. Acceptance of the Benton County Coordinated Prevention Grant Offer

Consent Agenda Items “c”, “d”, and “e” (Letters of Support for Ben Franklin Transit)

Commissioner Benitz requested more information and clarification of the expenses and how much money was being requested.

Commissioner Bowman said that Transit had always asked the federal government for this money and the County would just be supporting their request. He said financial information was available and he would be happy to provide it, however, timing was very important and he requested the Board authorize the letters. Additionally, he stated this letter was just a reaffirmation of the letter sent one year ago.

Commissioner Benitz said he wanted the costs to be identified before signing the letter. Commissioner Beaver asked if the information could be provided to Commissioner Benitz before the next meeting and Commissioner Bowman said it would.

The Board briefly recessed, reconvening at 9:05 a.m.

Continued Public Hearing – Comprehensive Plan Amendments

Chairman Benitz opened the public hearing and stated that public testimony had previously been closed.

Mike Shuttleworth stated that the previous hearing on CPA 07-02 did not receive a majority vote, so there was not a decision on the matter.

CPA 07-02

MOTION: Commissioner Bowman moved to approve CPA 07-02, a proposal by John Sullins to change the land use designation from Rural Lands Five to Rural Lands One. Commissioner Beaver seconded.

Discussion

Mr. Shuttleworth said one of the recommendations was to change the boundary to exclude the federally owned property.

Both Commissioners Beaver and Bowman said they did not have any reason to oppose that change.

Commissioner Bowman said he believed the intent of the legislation for urban growth boundaries was being met, along with the community desire, and this process was started long before the legislative changes to urban growth boundaries.

Upon vote, the motion carried with Commissioner Benitz opposing.

The Board set the time and date to approve the resolution for 9:05 a.m. on March 2, 2009.

CPA 08-01

MOTION: Commissioner Bowman moved to approve the resolution authorizing the amendment to the Benton County Comprehensive Plan, File CPA 08-01. Commissioner Beaver seconded and upon vote, the motion carried.

CPA 08-02

MOTION: Commissioner Bowman moved to approve the resolution authorizing the amendment to the Benton County Comprehensive Plan, Urban Growth Area, File CPA 08-02. Commissioner Beaver seconded and upon vote, the motion carried.

CPA 08-04

MOTION: Commissioner Bowman moved to approve the resolution authorizing the amendment to the Benton County Comprehensive Plan, File CPA 08-04. Commissioner Beaver seconded and upon vote, the motion carried.

CPA 08-05

MOTION: Commissioner Bowman moved to approve the resolution authorizing the amendment to the Benton County Comprehensive Plan, File CPA 08-05. Commissioner Beaver seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:35 a.m.

Annex Space Needs

David Sparks presented a cost estimate to remodel the vacated space at the Annex in the amount of \$39,000. He said it would include moving the Treasurer's office at the Annex to vacated space and moving the Clerk's Juvenile staff to the vacated Treasurer's space.

Ms. Delvin and Mr. Davidson discussed the efficiencies that would occur in moving the offices, as well as the additional security for the Treasurer's office by removing the cash handling away from the public.

Chairman Benitz asked if the issues in the L & I report would be addressed and Mr. Sparks said they would. The Board agreed to move forward with the Annex remodel.

Other Business

Olympia Trip

Commissioner Bowman briefly reported on his trip and said that 70+ people from various groups went to Olympia last week representing the Tri-Cities and its issues. He said he attended the legislative steering committee meeting, including a proposal for Health Boards to be comprised of citizens that were not elected. He stated that WSAC opposed that type of legislation. Additional issues that were discussed were the economy, water, environmental, and legislation by Adams County to receive the impact fees from Energy Northwest.

Commissioner Beaver said the County was on the “offense” by trying to make sure the projects lined up with available money. Additionally, he was interested in continuing to take a defensive role by being involved with issues introduced that could affect Benton County.

Red Mountain Study

Commissioner Bowman said that one of the things still missing from the Red Mountain study was a study of economic impacts if the interchange were constructed. He said there was an opportunity for agencies (West Richland, Benton City, and Benton REA) to pool funds to complete an initial study, with a cost of up to \$10,000 and he recommended the County participate in that interlocal agreement.

Commissioner Beaver said he agreed the County should have some economic analysis on the Red Mountain interchange since it was lobbying for resources.

The Board agreed that Commissioner Bowman could bring back some information for the Board to review.

Finley Truck Signs Update

Norm Childress provided a map and pictures of the new informational signs that were installed to help keep trucks on the Interie and off other area roads. He said they had also requested permission from the State to install signs on Hwy 397 and were waiting to hear back from them.

The Board requested Mr. Childress to communicate with the residents about the news signs and ask for any feedback on their effectiveness. Mr. Childress said he would send an email to those residents who had communicated with him.

The Board briefly recessed, reconvening at 10:00 a.m.

WSU – Benton County Extension – Proposed Budget Cuts

Marianne Ophardt discussed the proposed budget cuts from WSU and the magnitude of these cuts and their impacts. She said they were trying to impress upon the president that Extension would lose a lot more than funding by losing grants and other funding. She indicated they were contacting volunteers, 4H groups, commodity groups, and others to inform them to get involved. Ms. Ophardt stated they felt a proportionate 12-18% cut would be manageable, however, a 49% or 75% would not be manageable to keep extensions open.

Chairman Benitz recommended the Board send a letter to legislators, the governor, and the research center to express the magnitude of the proposed cuts. The Board agreed.

CRID #20 – Financing Options

David Sparks and Duane Davidson presented financing options based on information received from two different financial services companies.

1. Traditional CRID bond financed for 15 years or less (fund a 10% guaranty fund).
2. CRID Bond, secured 90% by a “Contingent Liability Fund” in the event of payment default by property owners.
3. Private Placement to sophisticated investors.
4. County issues Limited Tax Obligation Bonds (LTGO).
5. County issues the CRID debt in the form an “interfund loan”.

Commissioner Bowman said he felt it was appropriate to find a way to allow this to go forward and that maybe there were other options (possible agreement with school district to partner on the liability). Mr. Sparks said the school would pay its portion and the County would pay its portion, but basically it would be financing one property owner.

Commissioner Bowman said he felt that option #2 would be viable and that it was definitely an economic stimulus to the County.

Commissioner Beaver said he believed it was an economic stimulus, but it was too much money for the County to extend for the rate of return.

Chairman Benitz said he was not in favor of any of the options and that the landowner may have to step up to the plate to finance the project. Commissioner Beaver said he concurred and was not in favor of the five options.

Mr. Dunfee said he would work with the principal property owner to see if there was additional financing. If there were not any other options, he would send a resolution to the Board to cancel the CRID.

Consent Agenda Items “c”, “d” and “e”.

Commissioner Bowman provided additional information relevant to the letters of support for Ben Franklin Transit. Chairman Benitz said he wanted the numbers to be included in the request. The issue was scheduled on the following week’s agenda.

Unscheduled Visitors

James Willard and Patricia O’Brien discussed safety issues on roads in the County. Mr. Willard stated the new stop signs and stop-ahead signs installed have helped, but there were still many bad intersections. He requested the Commissioners continue to put pressure on the Road Department to put up more signs and improve the intersections and the Board consider additional deputy staffing for the county roads in that area because one was not enough. Additionally, he encouraged the Board to continue working on the Hanks Road re-build project.

Ms. O'Brien also requested the Board consider putting in "turtles" near the center lines at the crest of the hills between Crosby and Aller.

Chairman Benitz said the Board would keep them informed as they start to move forward with the one-year road program.

Vouchers

Check Date: 2/13/2009
Warrant #: 917439-917736
Total all funds: \$1,187,651.73

Check Date: 2/17/2009
Taxes #: 10109024-10109025
Total all funds: \$35,616.25

Check Date: 2/17/2009
Warrant #: 222251-222492
Total all funds: \$110,164.72

Check Date: 2/20/2009
Warrant # 918352-918615
Total all funds: \$1,996,896.22

Check Date: 2/20/2009
Warrant #: 917822-918351
Total all funds: \$13,064.10

Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

Resolutions

- 9.115 Appointment of G. Janicek to the Columbia Irrigation District
- 9.116 2010 Alternate Dates for Budget Hearings; Rescinding Resolution 09-080
- 9.117 Contract Amendment with Dr. Daniel Selove
- 9.118 Blanket Service Agreement w/Sound Solutions Northwest, Inc.
- 9.119 Contract Amendment with Schindler Elevator Corporation
- 9.120 Contract Amendment with Varsity Contractors, Inc.
- 9.121 Lease Agreement w/Benton-Franklin Mounted Sheriff's Posse – Sheriff's Weekly
- 9.122 Lease Agreement w/Benton-Franklin Mounted Sheriff's Posse – Play Days
- 9.123 Lease Agreement w/Columbia Basin Pigeon Club
- 9.124 Line Item Transfer, Funds No. 0115-101, Dept. 173
- 9.125 Agreement w/WSU for Evaluation of the Models for Change DMC Data Analysis
- 9.126 Agreement w/Center for Children's Law & Policy, the Children and Youth Justice
- 9.127 Fee for Services Contract w/City of Kennewick for Graffiti Abatement Program

- 9.128 District Court Service Agreement w/R Hui
- 9.129 Felony Superior Court Service Agreement w/R Thompson
- 9.130 Felony District Court Service Agreement w/R Swinburnson
- 9.131 Felony District Court Service Agreement w/C Harkins
- 9.132 Termination of Professional Srvcs Agreement w/R Johnston; Rescinding Resolution 07-879
- 9.133 EER&R Purchase of Refined Petroleum Products – Bulk Diesel Fuel for 2009
- 9.134 ER&R Purchase Metal Traffic Signs
- 9.135 ER&R Purchase New Pickup Mounted Tool Tray Designed to Securely Store Survey Equip.
- 9.136 Card Lock Service for Gasoline and Diesel Fuel
- 9.137 County Roads Improvement District (C.R.I.D.) #15-Cottonwood Drive, Property Segregation
- 9.138 Purchase of Ammunition from San Diego Police Equipment Co.
- 9.139 Purchase of POD Tables/Chairs from Norix Group Inc.
- 9.140 Federal Equitable Sharing Agreement and Certification Report – 2008
- 9.141 Acceptance of the Benton County Coordinated Prevention Grant Offer
- 9.142 Approval of CPA 08-01 Comprehensive Plan Amendment
- 9.143 Approval of CPA 08-02 Comprehensive Plan Amendment
- 9.144 Approval of CPA 08-04 Comprehensive Plan Amendment
- 9.145 Approval of CPA 08-05 Comprehensive Plan Amendment

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman